1.0 INTRODUCTION.

1.1 Under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, every Local Planning Authority "shall from time to time determine which parts of their areas are of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance." Such identified areas should be designated as Conservation Areas.

1.2 Due to the historic nature of the Grand Union and Oxford Canals and their associated architecture and buildings, the canal network in Daventry District meets the criteria defined in Section 69 of the Act and as such should be designated as a Conservation Area.

2.0 REASON FOR DESIGNATION.

2.1 The canal network in Daventry District dates from the late 18th Century. The Grand Union Canal provides the largest proportion of the canal network with a connection to the Oxford Canal at Braunston Junction.

2.2 Originally built as The Grand Junction Canal, and with Grand Junction Canal company signs still evident along the network, the canal was constructed during the late C18. Although it has been updated and in some areas the line has been altered, it remains in the most part as it was originally built.

2.3 With its associated cuttings, tunnels and embankments, the canal represents a major feat of civil engineering from the late C18, and as such is of undoubted historical interest. Also surviving along the canal network are a number of associated structures, many of which are listed such as bridges, locks and canal side dwellings all of which reflect the history of the canal and its use.

2.4 The canals are a major element of Britain's industrial heritage. Built for the mass transportation of goods, they were considerable feats of civil engineering in their day. The canals are of undoubted historical importance and deserve to be enhanced or preserved. This is the function of designation as a Conservation Area.

3.0 THE CONSERVATION AREA.

3.1 The Conservation Area boundaries have been drawn to include only those areas which represent the historical area of the canal itself. This has produced a Conservation Area that is approximately 22 miles in length but generally only wide enough to include the cut, its towpath and opposite bank. It is fundamental to the integrity of the proposal that the entire canal network is recognised as being of historic and architectural importance. To fragment the network into designated and undesignated lengths would be to fail to accept the quality and importance of the canal as a single transport network linking towns, villages and wharfs and marinas.

3.2 Where the canal is embanked or in a cutting the Conservation Area includes these elements of the engineering of the canal. All of the bridges crossing the canal and their associated ramps are also included.
3.3 Where woodlands or tree belts directly adjoin the canal they are included as a whole in the canal Conservation Area, as they contribute to the amenity and character of the canal. The hedgerow and associated trees of the towpath is also included in the Conservation Area and generally forms the boundary of the area.

3.4 At various points along the canal network there are buildings and/or other features which relate to the canal and to its use and history, or are important to the setting of the canal. These are also included in the Conservation Area. On the Leicester Arm these include the area of Crick Wharf and Marina Basin, Crick Tunnel, Heygates Lodge Farm, Skew Cottage, Skew Bridge Cottage, The Boat, Watford Locks, Sidepools and cottages including the areas for redevelopment, The Stags Head Inn, Fogg Cottages and Welton Hythe Marina.

3.5 Between Weedon and Braunston the following are included; Canal Cottage, Stowe Hill, Wharf House, Weedon Church, Weedon Boatyard and the depot arm, Station House, Dodford Wharf Farm, Whitton Locks and Marina including No 13, Four Square Farm, Lower Gate House, Wheelegate House and Canal Cottage. The industrial area at Whitton Locks is also included, as are Anchor House at Buckby Wharf, The Old Brewery Cottage, Nos 1 to 6 Woodcote Villa, Rye Hill Farm, The New Inn and adjacent cottage, The Toll House and cottages at the junction, Wharf Farm and Braunston Tunnel, Anchor House, the Admiral Nelson and associated housing at Little Braunston, the Old Castle and Castle Cottage, the Boatman public house and the adjacent engineering works and cottage on the junction.

3.6 Between Braunston and Hillmorton the following are also included; No 1 Cottage, No 2 Cottage and Clay Cottage.

3.7 Braunston marina is already within a Conservation Area and is not included in this area.

4.0 THE CHARACTER OF THE CONSERVATION AREA.

4.1 The predominant character of the Conservation Area itself is simply that of a linear canal, with its towpath to one side and occasional buildings that relate through function to the canal such as cottages, pubs, works, bridges, locks and the service areas such as wharfs and marinas.

4.2 Although the canal passes through a variety of differing environments, the character of the Conservation Area seldom changes significantly, although the effects of the surroundings do alter the perception of the canal as it passes through. The canal Conservation Area is essentially a linear man made transport network, together with its associated access and functional accoutrements, built largely in the C18. It is of historical and architectural interest and is also an important piece of our industrial archaeological heritage.

4.3 Due to the nature of the canal Conservation Area, perception of it for many people will be influenced by their comprehension of factors external to the Conservation Area itself. In travelling either by boat or on foot along the entire length of the Conservation Area, a number of distinct zones of external influence become apparent reflecting the nature of the surroundings of the Conservation Area rather than the character of the area itself.
For the most part the Canal runs through open countryside, however, the aspects of this are heavily influenced by the neighbouring activities in this open countryside. Plan I clearly shows the canal and the zones of influence through which it runs.

4.5 Starting at the south of the District at Stowe Hill, the canal runs parallel to the west coast main railway line to Weedon, where it passes on embankments into the village presenting a more urban feel as it passes the centre of the village. The link to the Depot is visible near the boat yard and as the canal passes out of the village it is hemmed in by the railway to the west and buildings on the east.

4.5.1 Once out of Weedon the canal is closely confined by the A5 to the east and the railway to the west. This is indicative of the entire stretch of the canal through the Watford Gap, which is a prime transport corridor. The presence of the A5 and the mainline are visually and aurally very intrusive and dominate the general feel of the area.

4.5.2 After crossing under the A5 the canal is approached by the M1 Motorway. This section of canal is extensively wooded on both sides, but the railway and the M1 are both clearly audible. At one point the hard shoulder of the M1 is only 15m from the towpath. This dominance by main arterial transport routes continues with the canal becoming more open and the rail line very visible on an embankment until Whilton Locks.

4.5.3 At Whilton Locks the Conservation Area opens out to cover the areas as described previously. The presence of the transport routes adjacent to the site do however, make themselves felt through noise. The railway embankment restricts views to the west.

4.5.4 Once north of Whilton Locks and past the garden centre and caravan storage area, the transport corridor character continues with the motorway to the east and rail line to the west. Just before Buckby Wharf the canal passes under the rail line putting both the railway and the motorway intrusions to the east. The canal then swings west as it passes through Buckby Wharf and where it crosses the A5 at the top lock.

4.5.5 Following the Leicester arm of the canal from Norton Junction, the route is more peaceful, though traffic noise from the three major transport routes is apparent. Past Welton Hythe Marina the canal is in open countryside although to the east the A5, M1 and rail line are visible.

4.5.6 After passing under the A5 again the canal passes through the industrial area at Welton station and through the Watford Gap in very close proximity to motorway rail line and industrial sites. The railway bridge over the canal in this area has some fine detailing.

4.5.7 Once north of Watford Gap the rail line swings away to the west and goes into cuttings reducing its impact on the Conservation Area. The canal is still between the A5 and the M1 as it approaches Watford Locks where the remains of the Watford Park are visible to the east with parkland trees and a tree screen still evident at the locks. Once under the motorway the aspect of the surrounding area becomes more rural with the Watford Park to the east and farmland to the west. Traffic noise is still very evident but the visual intrusion has gone before Crick Tunnel, where the canal is crossed by the Northampton loop railway line, and the character of the surroundings is predominantly rural.
4.5.8 Crick Tunnel passes through open farmland and the canal emerges into a wooded cutting before it reaches Crick Wharf and Marina.

4.5.9 North of Crick Wharf the Canal again passes into open countryside. From here to the County boundary the canal is rarely near a road and generally passes through open farmland occasionally enlivened by woodland. For the most part any embankments or cuttings through which it passes are wooded. The major distraction from this rural character is the recently built A14 which intrudes visually and aurally into what was previously a very pleasant area of countryside.

4.5.10 From Norton Junction to Braunston Tunnel the canal passes through open countryside with few other influences. The surroundings are predominantly agricultural until the final approaches to the tunnel when the canal passes through the wooded cutting past Wharf Farm and on to the eastern portal.

4.5.11 The walk across the top of the tunnel is again through open countryside with occasional views south to Deventry. The agricultural open countryside character continues to dominate into Braunston with increasing development as the Braunston Conservation Area is approached.

4.5.12 Once past the Braunston Conservation Area the proposed canal Conservation Area passes the industrial site, part of which is included in the Conservation Area, adjacent to Braunston Junction. Once the canal recrosses the A45 it returns to open countryside with a few other intrusions: In the Onley area the prison is very visible from the canal and in the section between Barby Wood Bridge and Norman's Bridge, the canal is on a modern alignment with a series of residential mooring plots to the east side which do intrude somewhat into the rural feel of the canal.

5.0 THE CONSERVATION AREA AND DEVELOPMENT.

5.1 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;

"(1) In the exercise, with respect to any building or other land in a Conservation Area, of any functions under or by virtue of of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

"(2) The provisions referred to in subsection (1) are the Planning Acts and part I of the Historic Buildings and Ancient Monuments Act 1953 [and sections 70 and 73 of the Leasehold Reform, Housing and Urban Development Act 1993]"

5.2 This places a duty on all Local Authorities to ensure that development in a Conservation Area either enhances or preserves the character of an area. The definition of what is enhancement has been defined in various pieces of case law.
5.3 Planning Policy Guidance Note 15 (PPG15) clearly states that

"While conservation (whether by enhancement or preservation) of the character or appearance must be a major consideration this cannot realistically take the form of preventing all new development; the emphasis will generally need to be on controlled and positive management of change". (PPG15 para 4.16).

5.4 To produce policies that fit the above advice it is important to look at the functions and uses of the Conservation Area. The Canal network was originally built as a means for the mass transportation of goods in bulk. With the coming of the railways in the mid C19 and the improvements to road transport systems in the C20 this function was largely lost and remains today as only a small element in the use of the canal network. The majority of canal use is now recreational with tourism and holiday uses playing a major role in this function.

5.5 Informal and subsidiary uses of the canal network are also an important feature of its use. The Towpath forms an attractive area for walking and the long distance London to Birmingham Grand Union towpath walk passes through the Conservation Area. Also represented in these subsidiary uses is angling, with much of the canal being heavily used both by clubs and by individual anglers. The Historical, architectural and archaeological nature of the canal also represents an important educational resource. This is enhanced by the fact that much of the canal network is also a prime site for nature conservation - this is recognised by the designation of a significant proportion of the canal as a County Wildlife Site by the Wildlife Trust for Northamptonshire.

5.7 The land use policies for the canal seek to allow for the expansion of all of the canal uses including transport, whilst seeking to conserve the character of the canal Conservation Area, which is the main factor in generating those uses.

5.8 The Planning Policies for the canal network are contained in the Daventry District Local Plan, which has at this time (August 1993) been through the public inquiry stage and the inspectors report is awaited. The Local Plan contains policies under the following general headings; General, Environment, Housing, Industrial and Commercial Development, Retail development Communications, Tourism and Recreation, Leisure and Community Facilities.

5.9 As already stated the majority of the canal network is in open countryside and therefore development opportunities are necessarily restricted. However, the importance of the canal mitigates towards a more relaxed interpretation of these policies in certain areas.

5.10 In allowing tourism, recreation, commercial and transport developments on the canal the District Council will seek to restrict major newbuild developments to those areas of the canal where there has historically been developments associated with the canal and where good access by road is already available. The aim of this is to produce "Honey Pot" sites thus leaving the bulk of the canal network in its current character of a canal passing through open countryside. The main areas for newbuild developments in all classes will therefore be: Weedon, Whilton Locks, Long Buckby Wharf/ Norton Junction, Watford Locks, Crick Wharf and Braunston Junction.
5.11 The District Council have already granted planning permission for industrial development at Whilton Locks, and planning permission and listed building consent for a large visitor centre and hotel at Watford Locks.

5.12 Possibilities for smaller scale developments to enhance recreational use also exists. These developments will include car parks and picnic sites. All such developments will have regard to the normal environmental concerns, the setting of the Conservation Area, preservation and enhancement of the Conservation Area, highway and safety access.

5.13 The canal Conservation Area north of Crick Wharf runs through the designated Special Landscape Area.

5.14 The designation of a Conservation Area also has implications in respect of permitted development rights;

   a) The demolition of certain buildings is brought under control by Section 74 of the act and they may only be demolished with Conservation Area Consent.

   b) It becomes an offence to cut down, top lop, uproot, wilfully damage or wilfully destroy any tree in a Conservation Area without the consent of the Local Planning Authority.

   c) The right to enlarge, improve or otherwise alter a dwelling house is restricted to increases in cubic capacity not exceeding 50 cubic metres or 10 percent. Any building erected within the curtilage with a cubic capacity exceeding 10 cubic metres is treated as an enlargement of the dwelling house.

Permitted developments rights do not extend to cladding any part of the exterior in stone, artificial stone, plastic, timber or tiles.

The right to alter the roof is excluded.

No building incidental to the enjoyment of the dwelling house may be provided if its cubic capacity would exceed 10 cubic metres.

The extension of industrial buildings or warehouses is permitted only up to an increase of 10 percent over the cubic content of the original building.

5.15 Daventry District Council recognises the need to manage woodlands both for economic return and to ensure that they retain their habitat value. Without effective management, small woodlands would lose both habitat and amenity value. Similarly, individual trees from time to time require management, such as pollarding and dead wooding, to keep them vigorous, healthy and safe. The designation of the Conservation Area is not intended to restrict the appropriate management of trees and woodland. The designation imposes on tree and woodland owners the need to contact the Local Planning Authority and give them six weeks notice of intended management work and five days notice of safety work, allowing the LPA to make a Tree Preservation Order if they find the proposed work inappropriate.
5.16 This will require the owner to take on a slight additional administrative task, but this need not be onerous: In the case of owners of larger woodlands who may already be required to obtain a Felling Licence or may be operating within the Woodland Grant Scheme, both of which are administered by the Forest Authority, a letter including a management programme with a timescale could be submitted to the Council who could then acknowledge that the proposal was acceptable.

5.17 British Waterways carry out routine management of the trees within their ownership in order to maintain clear, safe headroom and stable bank conditions; this would be dealt with in a similar way.

5.18 Individual tree owners would be required to comply with the statutory requirements as outlined in 5.15 above. This has not proved to be a problem in the 17 other conservation areas in the District, where there are more individual owners and more trees covered by the designation.

5.19 Under Article 4 of the General Development Order 1988 the District Council may withdraw with the permission of the Secretary of State for the Environment. New arrangements now exist for the District Council to use Article 5 of the GDO to withdraw permitted development rights without recourse to the Secretary of State. The use of these powers would need to be justified by the Local Planning Authority but would commonly be used to for example remove the right to replace windows or doors where such action would be detrimental to the character of the Conservation Area.

6.0 ENHANCEMENT.

6.1 Under Section 71 of the principle Act the District Council has a duty to publish and consult on proposals to enhance the Conservation Area. British Waterways Board and the District Council have already cooperated in a partial canal corridor study and proposals for the enhancement of the Conservation Area will be based on this study, and further studies covering the whole of the canal network contained in the Conservation Area.

6.2 The proposals for enhancement will be subject to a full public consultation exercise including a public meeting.